

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX**

BEECHER COTTON, PAMELA COLON,  
SIRDINA ISAAC-JOSEPH, ESTHER  
CLIFFORD, SYLVIA BROWNE, ALVINA  
JEAN-MARIE ILARRAZA, individually  
and on behalf of all others similarly  
situated,

Plaintiffs,

v.

LIMETREE BAY VENTURES, LLC,  
LIMETREE BAY REFINING, LLC,  
LIMETREE BAY TERMINALS, LLC,  
ARCLIGHT CAPITAL PARTNERS, LLC,  
FREEPOINT COMMODITIES, LLC, EIG  
GLOBAL ENERGY PARTNERS, LLC,  
BP PRODUCTS NORTH AMERICA,  
INC. and JOHN DOES 1-10.,

Defendants.

CASE NO. 1:21-CV-00261-WAL-GWC

**PLAINTIFFS' STATUS REPORT CONCERNING BANKRUPTCY PROCEEDINGS**

Plaintiffs, through their undersigned counsel, hereby provide the following status report concerning the bankruptcy stay in this matter pursuant to *In re: Limetree Bay Services, LLC, et al.*, No. 21-32351 (DRJ), pending in the United States Bankruptcy Court for the Southern District of Texas. Last week, the Bankruptcy Court confirmed Limetree Bay Refining, LLC's Plan of Liquidation. which Plan provides for lifting the stay of this case upon the Effective Date of the Plan., which is expected to occur in the next several days. Thus, pursuant to the confirmed Plan, the Plaintiffs, putative Class members and those injured by the contamination incidents will be allowed to proceed against the Debtors including Limetree Bay Refining, LLC as a nominal Defendant for (a)

Cotton, Beecher, et. al. v. Limetree Bay Ventures, LLC, et. al. (Class Action), Case No. 1:21-CV-00261-WAL-GWC

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the purpose of establishing claims against the Debtors and (b) to preserve rights to insurance proceeds. Plaintiffs will also be allowed to proceed as to all other Defendants.

In the Bankruptcy case, Limetree Bay Terminals, LLC reached an agreement with the consolidated plaintiffs to provide drinking water to the putative Class members and made certain agreements concerning the number of distribution locations, and amount of water allowable. Those sites continue to have significant traffic of multiple families on St. Croix who are victims of the contamination incidents within the affected areas. To date, most roofs, downspouts, and cisterns have not been properly cleaned, and thousands of St. Croix residents remain with contaminated water and property, and the lack of potable water ***over a year after the discharges***. It has been suggested by Limetree Bay Terminals, LLC that if Plaintiffs continue with litigation in St. Croix, they may stop all water distribution that was agreed to during the Bankruptcy proceedings. If this occurs, Plaintiffs will seek an Emergency Affirmative Injunction to continue providing water, and to provide funds to clean the cisterns, and for other remedies as soon as the stay is lifted.

RESPECTFULLY SUBMITTED  
LEE J. ROHN AND ASSOCIATES, LLC  
Attorneys for Plaintiffs

DATED: May 25, 2022

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**CERTIFICATE OF SERVICE**

**THIS IS TO CERTIFY** that on May 25, 2022, I electronically filed the foregoing with the Clerk of the Court using the electronic filing system, which will send a notification of such filing to the following:

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